



# County of Los Angeles **CHIEF EXECUTIVE OFFICE**

713 KENNETH HAHN HALL OF ADMINISTRATION  
LOS ANGELES, CALIFORNIA 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

**WILLIAM T FUJIOKA**  
Chief Executive Officer

February 19, 2008

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:  
ACTON/AGUA DULCE LIBRARY PROJECT  
APPROVE APPROPRIATION ADJUSTMENT  
APPROVE REVISED PROJECT BUDGET  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6832; C.P. 77453  
(FIFTH DISTRICT) (3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that Morrissey Construction Company is the apparent Lowest Responsive and Responsible Bidder; and award a construction contract to Morrissey Construction Company in the amount of \$7,629,300 for the Acton/Agua Dulce Library project, funded by net County Cost, State Library Bond Act Grant funds, Waterworks District No. 37 Accumulative Capital Outlay funds, and Fiscal Year 2007-08 Road Fund Budget funds, subject to the satisfactory and timely completion by the contractor of a baseline construction schedule for the project and receipt by the Department of Public Works of acceptable and approved Faithful Performance and Labor and Materials Bonds and insurance certificates filed by the contractor.
2. Delegate to the Director of Public Works the authority to determine, in accordance with the applicable contract and bid documents, whether the contractor has satisfied the conditions for contract award; and subject to that determination, authorize the Director of Public Works to execute the construction contract, in the form previously approved by County Counsel, with Morrissey Construction Company and to establish the effective contract date.

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will authorize the Department of Public Works (Public Works) to proceed with construction of the Acton/Agua Dulce Library project.

The residents of Acton and Agua Dulce are currently served by the Public Library's Santa Clarita Valley bookmobile service, which provides limited library services at various locations in the communities. For additional library services, local residents must travel to County library facilities in Canyon Country or Lancaster.

The project consists of the construction of a new 11,343-square-foot library facility with associated parking and site improvements on 1.492 acres of donated land located at 33792 Crown Valley Road in the unincorporated community of Acton. The proposed library will include a large adult reading area, a community meeting room to seat 75 people, a teen area for middle- and high-school students, a children's area with dedicated storytelling and programming space, a small group study room, express-service checkout machines at the customer service desk, public access computers with Internet access, and a new opening day collection of 33,000 books and other library materials.

In addition, the project will include reconstruction of the easterly portion of Crown Valley Road along the frontage of the library site to meet current County road standards. The project will also include the installation of a new 16-inch-diameter water main along Crown Valley Road from Sierra Highway to the frontage of the library site (approximately 830 lineal feet) to provide the necessary fire flow capacity for the library.

On October 30, 2007, your Board adopted plans and specifications at an estimated construction cost of \$7,416,567, and authorized advertising for construction bids. On December 11, 2007, seven bids were received. Morrissey Construction Company, with a total bid of \$7,634,300 (inclusive of \$5,000 for development of a baseline construction schedule), is the apparent Lowest Responsive and Responsible Bidder (as defined in the FACTS AND PROVISIONS/LEGAL REQUIREMENTS Section of this letter). This bid is within 3 percent of the estimated construction cost, and we consider it to be reasonable for the project scope of work. Based on the current market conditions, we do not anticipate receiving more favorable bids by readvertising the project. Therefore, we are recommending awarding the construction contract to Morrissey Construction Company.

### **Sustainable Design Program**

The project will support your Board's Sustainable Design Program by utilizing durable construction materials and finishes to reduce ongoing maintenance and extend the

useful life of the facility and that contain recycled content to reduce the demand for new building materials and divert waste from landfills, by using energy-efficient equipment and features to optimize the energy performance of the facility, by taking advantage of the abundant natural lighting to reduce the need for artificial light in the facility, and by utilizing porous material in the parking stall areas to percolate stormwater runoff on-site and enhance the sustainability of the site.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs that we provide Fiscal Responsibility (Goal 4), Service Excellence (Goal 1), and Children and Families' Well-Being (Goal 5) by investing in public infrastructure that will improve library service as well as educational facilities and programs.

### **FISCAL IMPACT/FINANCING**

The recommended award of a construction contract to Morrissey Construction Company for \$7,634,300 (inclusive of \$5,000 for the baseline construction schedule) will increase project costs by \$354,746, resulting in a total project cost estimate of \$13,610,841. The increase in project costs reflects \$239,506 in higher than anticipated construction and change order contingency costs and a reduction in funding of \$115,240 from the Waterworks District No. 37 (District).

The recommended construction contract with Morrissey Construction Company is for \$7,629,300, including \$132,000 for the new water main installation, and \$70,000 for the road improvements. An additional \$5,000 for the baseline construction schedule and a \$21,773 increase in change order allowance attributable to the higher than anticipated bid amount, will result in estimated construction costs of \$8,397,730, which represents an increase of \$239,506 beyond the construction cost estimate of \$8,158,224 that was previously approved by your Board. The Project Schedule and Budget Summary are included in Attachment A.

In addition to higher than projected construction costs based on the bid received, the project budget is impacted by a lower than anticipated funding contribution from the Waterworks District No. 37, Acton (District), for the project's water main work. Under the cooperative agreement between the District and the County approved by your Board on September 11, 2007, the District will pay for 43 percent of the water main cost as specified in the construction bid that is awarded. The water main cost in the Morrissey Construction Company bid was \$268,000 less than the County's \$400,000 cost projection, reducing the District's contribution to the project by 43% of the difference, or \$115,240.

The reduction in funding from the District, combined with \$239,506 in additional construction costs, results in a current overall shortfall of \$354,746 in the project budget. Sufficient current year appropriation is available, however, to award the construction contract. In order to avoid further cost increases, we are recommending award of the construction contract at this time. We will continue to review and analyze the project budget to identify any opportunities to mitigate the currently projected shortfall. If, following this review, additional funding continues to be required, we will return to your Board with further funding recommendations as part of the Proposed 2008-09 Budget.

### **Operating Budget Impact**

It is anticipated that the new library will begin operation in December 2009, and funding for annual operating costs will be required at that time. The annual budgetary cost for operating this new facility is estimated at \$1.24 million, based on the current costs for staffing, support, facility maintenance, and other operating costs that will be required. The operating costs will be funded with Enhanced Unincorporated Area Services and existing Library funds.

In addition to annual operating costs, one-time start-up costs of \$1,200,000 are required to purchase the library books and materials for the new facility's initial collection. Funding for the purchase of those materials is included in the project budget and will be required beginning in Fiscal Year 2008-09.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Although the project was approved prior to your Board's Civic Art Policy adopted on December 7, 2004, and is therefore not subject to the policy, Civic Art is being incorporated into the project.

This project is not subject to the Countywide Energy and Environmental Policy adopted by your Board on January 16, 2007, since it was authorized and funded prior to February 15, 2007.

The State Public Contract Code requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which is defined as the firm that; 1) submits the bid with the lowest cost; 2) is deemed by the County to be responsive to specific criteria under the solicitation, including, but not limited to licensure, bonding, and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

The contract agreement will be in the form previously reviewed and approved by County Counsel. The recommended contract was solicited on an open competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's and your Board's requirements.

The contract will contain terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) program participants for future employment, Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

Data regarding the contractor's minority participation is on file with Public Works. The contractor was selected upon final analysis and consideration without regard to race, creed, gender, or color.

### **ENVIRONMENTAL DOCUMENTATION**

On October 14, 2003, pursuant to the California Environmental Quality Act, your Board adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for this project.

### **CONTRACTING PROCESS**

We are recommending that your Board award the construction contract to Morrissey Construction Company in the amount of \$7,629,300, which was established by deducting the \$5,000 for preparation of the baseline construction schedule from the amount of its lump sum bid of \$7,634,300. The bid results are summarized in Attachment B.

In connection with the bid process, on December 17, 2007, the second low bidder, Viola Inc. Constructors, submitted a protest letter claiming that Morrissey Construction Company was "non-responsive" to the bidder qualification requirements specified in the bid documents. After carefully reviewing and evaluating the contentions made by Viola Inc. Constructors, we determined that Morrissey Construction Company's bid is

responsive to the material requirements of the invitation for bids. On January 17, 2008, we informed Viola Inc. Constructors in writing of this determination and further advised them that we intended to recommend to your Board that Morrissey Construction Company be awarded the construction contract for this project as the lowest responsive bidder.

Execution of the construction contract is subject to the satisfactory and timely completion by the contractor of a baseline construction schedule and receipt by the Public Works of acceptable and approved Faithful Performance and Labor and Materials Bonds and insurance certificates filed by the contractor.

As requested by your Board on February 3, 1998, this contract opportunity was listed on the Doing Business with Us website as shown in Attachment C.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended actions will have no impact on current services. The communities of Acton and Agua Dulce will continue to be served by the existing Public Library bookmobile service during the construction of the proposed library.

#### **CONCLUSION**

Please return two adopted copies of this letter to the Chief Executive Office (Capital Projects and Real Estate Divisions), one to the Public Library, and two to Public Works (Project Management I and Waterworks Divisions).

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:DLW:DL  
JSE:DJT:PB

Attachments (3)

c: County Counsel  
Office of Affirmative Action Compliance (Ozzie Smith)  
Department of Public Social Services (GAIN/GROW Program)

February 19, 2008

**ATTACHMENT A**

**DEPARTMENT OF PUBLIC WORKS:  
ACTON/AGUA DULCE LIBRARY PROJECT  
APPROVE APPROPRIATION ADJUSTMENT  
APPROVE REVISED PROJECT BUDGET  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6832; C.P. 77453**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Award Design Contract	08/16/05*
Execute Design Contract	09/07/05*
Schematic Design	10/12/05*
Design Development	01/02/06*
Construction Documents	05/29/07*
Jurisdictional Approvals	10/15/07*
Construction Award	02/19/08
Construction Start	03/25/08
Substantial Completion	05/23/09
Library Opening	12/14/09
Final Acceptance	01/22/10

\* Actual completion date.

## II. PROJECT BUDGET SUMMARY

Budget Category	Board-Approved Project Budget	Impact of this Action	Revised Project Budget
Land Acquisition*	\$ 309,000	\$ 0	\$ 309,000
Plans and Specifications	\$ 629,755	\$ 0	\$ 629,755
Plan Check and Jurisdictional Reviews	\$ 73,996	\$ 0	\$ 73,996
Construction			
Construction Contract**	\$ 7,416,567	\$217,733	\$ 7,634,300
Change Order Contingency	741,657	21,773	763,430
<b>Total Construction</b>	<b>\$ 8,158,224</b>	<b>\$239,506</b>	<b>\$ 8,397,730</b>
Furniture, Fixtures, and Equipment	\$ 950,305	\$ 0	\$ 950,305
Telecommunications	\$ 439,622	\$ 0	\$ 439,622
Other Consultant Services	\$ 420,198	\$ 0	\$ 420,198
Civic Art	\$ 73,155	\$ 0	\$ 73,155
Library Materials	\$ 1,200,000	\$ 0	\$ 1,200,000
Miscellaneous Expenditures	\$ 127,547	\$ 0	\$ 127,547
County Services	\$ 1,298,533	\$ 0	\$ 1,298,533
<b>Total Project Budget</b>	<b>\$13,680,335</b>	<b>\$239,506</b>	<b>\$13,919,841</b>
Less Credit for Donated Land***	\$ (309,000)	\$ 0	\$ (309,000)
<b>Net Project Cost</b>	<b>\$13,371,335</b>	<b>\$239,506</b>	<b>\$13,610,841</b>

\* Appraised value of donated land. Not an actual expenditure by the County.

\*\* Includes \$5,000 consultant agreement for a baseline construction schedule.

\*\*\* Bond Act Regulations allow credit for appraised value of land.



February 19, 2008

**ATTACHMENT B**

**DEPARTMENT OF PUBLIC WORKS:  
ACTON/AGUA DULCE LIBRARY PROJECT  
APPROVE APPROPRIATION ADJUSTMENT  
APPROVE REVISED PROJECT BUDGET  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6832; C.P. 77453**

The proposed project is a new 11,343-square-foot library facility with associated parking and site improvements on 1.492 acres of donated land located at 33792 Crown Valley Road in the unincorporated community of Acton. In addition, the project includes reconstruction of the easterly portion of Crown Valley Road along the frontage of the library site to meet current County road standards. The project also includes the installation of a new 16-inch-diameter water main along Crown Valley Road from Sierra Highway to the frontage of the library site (approximately 830 lineal feet) to provide the necessary fire flow capacity for the library.

**Bid Opening Date:** December 11, 2007

**Construction Cost Estimate:** \$7,416,567

**Bid Summary:**

<b>Contractor's Name</b>	<b>Lump Sum Bid</b>	<b>Water Main Installation (Included in Lump Sum Bid)</b>	<b>Road Improvements (Included in Lump Sum Bid)</b>
Morrissey Construction	\$ 7,634,300	\$132,000	\$ 70,000
Viola Inc Constructors	\$ 7,647,000	\$125,000	\$ 51,000
Woodcliff Corporation	\$ 8,213,000	\$300,000	\$ 60,000
FEI Enterprises	\$ 8,450,000	\$172,000	\$ 40,000
G-2000 Construction	\$ 8,500,000	\$675,000	\$100,000
Novus Construction	\$ 8,995,000	\$300,000	\$ 90,000
Mackone Dev. Inc.	\$11,086,888	\$420,000	\$ 50,000

February 19, 2008

**ATTACHMENT C**

**DEPARTMENT OF PUBLIC WORKS:  
ACTON/AGUA DULCE LIBRARY PROJECT  
APPROVE APPROPRIATION ADJUSTMENT  
APPROVE REVISED PROJECT BUDGET  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6832; C.P. 77453**

**DOING BUSINESS WITH US WEBSITE**

**Bid Solicitation**

**Bid Number :** ACTONLIBRARY

**Bid Title :** ACTON/AGUA DULCE LIBRARY PROJECT, SPEC. 6832

**Bid Type :** Construction

**Department :** Public Works

**Commodity :** BUILDING CONSTRUCTION SERVICE, NON- RESIDENTIAL (OFFICE BLDG., ETC.)

**Open Date :** 10/30/2007

**Closing Date :** 12/11/2007 10:45 AM

**Bid Amount :** \$ 7,416,567

**Bid Download :** Not Available

**Bid Description :** The project consists of a 11,343 square foot library facility with associated parking and site improvements. Address of the project is 33792 Crown Valley Road, Acton 93510. Plans and Specs may be purchased for \$75 at the Los Angeles County Department of Public Works Cashier's Office, 900 S. Fremont Avenue, Alhambra, California 91803. Bids are due by or before 10:45 AM on December 11, 2007, at the Public Works Cashiers office. There will not be a prebid meeting or a job walk for this project.

This project requires a valid Class B license, and the bidder shall have a minimum 5 years of public works experience in building construction and shall have completed a minimum of 1 public library project (City, County, or special district) in the last 5 years, where the work was in excess of \$2,000,000.

Please contact Matt Jerge at (626) 458-2593 if you have additional questions.

**Contact Name:** Matt Jerge

**Contact Phone No.:** (626) 458-2593

**Contact E-mail:** [mjerge@dpw.lacounty.gov](mailto:mjerge@dpw.lacounty.gov)

**Last Changed On:** 10/31/2007 1:44:15 PM